

FILED

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SECRETARY, BOARD OF
OIL, GAS & MINING

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

IN THE MATTER OF THE APPLICATION
OF CLIFFORD MURRAY FOR AN
ORDER POOLING INTERESTS IN THE
DRILLING UNIT COMPRISING SECTION
2, TOWNSHIP 2 SOUTH, RANGE 1 EAST,
U.S.M., UINTAH COUNTY, UTAH

**RESPONSE AND REQUEST OF
BEVERLYE SOLI-MARITAN TO
REQUEST FOR AGENCY ACTION
(Pooling)**

DOCKET NO. 2010-19

CAUSE NO. 131-30

Beverlye Soli-Maritan (hereinafter sometimes "Soli-Maritan"), a natural person, hereby respectfully states her support for the pooling of the interests in the above captioned matter as follows:

STATEMENT OF PROFFERED FACTS

1. Soli-Maritan is a resident of Tulsa County, Oklahoma.
2. Soli-Maritan is a successor in interest to Western Petroleum Co., Inc. (hereinafter sometimes "Western") and RMA, Inc. (hereinafter sometimes "RMA") who were both signatory to the operating agreement submitted by Murray as Exhibit J in this matter which operating agreement governed the drilling unit prior to 1989.
3. Soli-Maritan's predecessors in interest Western and RMA are listed in the communitization agreement submitted by Murray as Exhibit L in this matter under Tract 4 on page 10.
 - a. Such interest is correctly listed as unleased.
 - b. The working interest of such interest is incorrectly attributed to Uinta Oil and Gas, Inc (hereinafter sometimes "Uinta").

4. Soli-Maritan's interest was conveyed to her by assignments dated 4/13/2003 which were recorded in Uintah County, Utah in Book 836, Page 541 and Book 836, Page 547, respectively, on 4/25/2003.

5. Soli-Maritan's mineral interest in the drilling unit the subject of this matter consist of $\frac{1}{2}$ of the 8 net mineral acres which belonged to Western (5 net mineral acres) and RMA (3 net mineral acres) in the NE $\frac{1}{4}$ NE $\frac{1}{4}$.

6. Soli-Maritan's mineral interest remained unleased until 8/1/2009 at which time Soli-Maritan entered into a lease with Mineral Rights Leasing, LLC (hereinafter sometimes "MRL") which provides for a $\frac{1}{6}$ royalty.

7. Soli-Maritan's decimal interest in the drilling unit the subject of this matter is as follows:

a. Prior to 8/1/2009: Unleased 4 net mineral acres divided by 650.9 acres in the drilling unit yielding .006145.

b. Subsequent to 8/1/2009: Leased 4 net mineral acres divided by 650.9 acres in the drilling unit times $\frac{1}{6}$ (.16666667) royalty yielding .00102422.

Wherefore, Soli-Maritan respectfully requests the Board of Oil, Gas and Mining enter an order:

A. Pooling the interests of the interest owners in the drilling unit the subject of this matter; and

B. Finding the royalty attributable Soli-Maritan's unleased mineral interest subsequent to the well returning to production in 1997 and prior to 8/1/2009 is the average royalty attributable to each tract within the drilling unit at the time the well was returned to production in 1997; and

C. Finding Soli-Maritan's unleased working interest between 1997 and 8/1/2009 to be a "carried working interest" with well expenses to be paid from production; and

D. Finding Soli-Maritan to be due the Proceeds from the sale of oil between 1997 and 8/1/2009 which are attributable to her unleased working interest, less production expenses as determined by the terms of the operating agreement Murray submitted to as Exhibit J in this matter; and

E. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to pay Soli-Maritan a 1 1/2 % per month interest rate for Proceeds from the date such Proceeds should have been paid or escrowed as allowed by UCA 40-6-9(7)(a)(ii); and

F. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to pay Soli-Maritan a 25% penalty of the total Proceeds and interest as allowed by UCA 40-6-9(7)(b)(i)(C)(ii) ; and

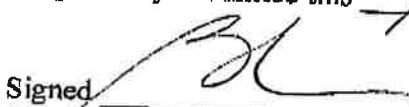
G. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to timely pay all future proceeds from the well in accordance with UCA 40-6-9; and

H. Requiring Uinta Oil and Gas, Inc., Mountain Oil and Gas, Inc and Homeland Gas and Oil, Ltd. to escrow future proceeds from the well in accordance with UCA 40-6-9; and

I. Making such findings and orders in connection with this Request as it deems necessary; and

J. Providing for such other and further relief as may be just and equitable under the circumstances.

Respectfully submitted this 9th day of April, 2010.

Signed 
Beverly Soli-Maritan, P.O. Box 702676, Tulsa, OK 74170-2676, 918-808-2800